

REMARKS

Claims 1-51 were acted upon in the aforesaid Office Action. Claims 1-5, 24 and 31-39 have been indicated allowable. No claims have been canceled and new claim 52 has been added, leaving claims 6-23, 25-30 and 40-52 for further consideration.

Claims 6-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Caspari et al. in view of Tiefenbrun et al. Claim 6 has been amended to set forth that the suture (elongated element) is passed through two portions of the subject while the wire guide remains outside of the two portions of the subject, a feature which appears to be absent from Caspari and Tiefenbrun. Claims 7-10 and 46 depend from claim 6. It therefore appears that claims 6-10 and 46 now distinguish over the teachings of the art cited thereagainst and should be deemed allowable.

Claims 11-18 stand similarly rejected and the independent claims therein have been similarly amended, such that 11-18 appear to distinguish over the art cited thereagainst. Claims 41, 42, 48, 49, 50 and 51

depend directly or ultimately from claim 11 and would appear to be allowable, at least through dependency. Claims 43-45 depend from claim 16 and also appear to be allowable through dependency.

Claim 19 has been both rejected and allowed in the aforesaid Office Action. However, claim 19 depends from claim 18 and would therefore appear to be allowable, at least through dependency.

Claim 20 is not mentioned in the Detailed Action, but is indicated as objected to in the Office Action Summary. However, claim 20 depends from claim 18 which is believed to now be allowable. Accordingly, it appears that claim 20 is allowable, at least through dependency.

Claims 21-23 stand rejected on similar grounds as claims 6-10 and have been amended similarly to distinguish over the art cited thereagainst.

Claim 24 is not mentioned in the Detailed Action, but appears as allowable in the Office Action Summary. Claim 24 is resubmitted in its original form.

Claims 25-30 have been rejected similarly to claims 6-10 and have been similarly amended.

New claim 52 is submitted for consideration.

Claims 40-51 have been rejected similarly to claims 6-10. Claim 40 has been amended to include means for joining the first and second portions of the flexible elongated element by twisting the first and second portions thereof together.

Claim 47 depends from claim 5, which has been allowed and would therefore appear to be allowable, at least through dependency.

In summary, claims 6-23, 25-30 and 40-52 are believed to be in allowable condition, along with previously allowed claims 1-5, 24 and 31-39.

In event that any additional fees may be required
in this matter, please charge the same to Deposit
Account No. 16-0221.

Respectfully submitted,



Scott R. Foster

Reg. No. 20,570

Pandiscio & Pandiscio

470 Totten Pond Road

Waltham, MA 02451-1914

Tel. (781) 290-0060

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